



School  
Attendance  
Review  
Boards  
Handbook

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Operations and  
Resources

California Department of Education  
Sacramento, 1995

# School Attendance Review Boards Handbook

## Operations and Resources



## Publishing Information

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*School Attendance Review Boards Handbook* was developed by Shirley Abrams, Brian Conway, Shari Lawson, LaVonne McBroom, and Norma Sierra, State SARB members, working with Mary Tobias Weaver, Administrator, School Safety and Violence Prevention Office, California Department of Education. See Acknowledgments on page vi for the names of others who participated in the development and review of the document.

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## Notice

The guidance in this handbook is not binding on local educational agencies or other entities or persons. Except for the statutes, regulations, and court decisions that are referenced herein, this handbook is exemplary, and compliance with it is not mandatory. (See *Education Code* Section 33308.5.)

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## PREFACE

California compulsory education law requires everyone between the ages of 6 and 18 years of age to attend school, except 16- and 17-year-olds who have graduated from high school or passed the *California High School Proficiency Examination* (CHSPE) and obtained parental permission to leave. Some students, however, violate compulsory education laws and have a pattern of unexcused absences. Although truancy and excessive absenteeism are not new problems, they cause costly long-term problems to the students, school, and community.

In 1974, the Legislature enacted a statute to enhance the enforcement of compulsory education laws and to divert students with school attendance or behavior problems from the juvenile justice system until all available resources have been exhausted. This statute created School Attendance Review Boards (SARBs), composed of representatives from various youth-serving agencies, to help truant or recalcitrant students and their parents or guardians solve school attendance and behavior problems through the use of available school and community resources. Although the goal of SARB is to keep students in school and provide them with a meaningful educational experience, SARB does have the power, when necessary, to refer students and their parents or guardians to court.

State SARB members developed this handbook to help county and local SARBs identify and handle attendance problems early. The handbook provides information on establishing a SARB; identifies behavioral patterns of problem students; gives helpful hints on how to work with students and their parents or guardians; suggests by-laws and standing rules; identifies effective factors for parent and pupil conferences; lists California compulsory attendance and other related laws; and provides sample letters and forms to petition the Probation Department, Office of the District Attorney, and the courts.

The statutes explained in this handbook include relevant California laws pertaining to SARB operations and school attendance. They were gathered and selected from the following California codes:

- *Education Code* (Ed. Code) sections 46010, 46014, 48200, 48205, 48220-48230, 48232, 48260-48263, 48290-48296, 48320-48325, 48416, 48450-48454, 48900, 48910
- *Evidence Code* (Evid. Code) sections 1200-1205, 1220-1222, 1270-1272, 1280
- *Government Code* (Govt. Code) sections 54952, 54953 et seq.
- *Welfare and Institutions Code* (Welf. & Inst. Code) sections 600, 601

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**Shari Lawson**, Vacaville Unified School District SARB member, State SARB Secretary

**LaVonne McBroom**, Santa Barbara County Office of Education, County SARB member, and representative of the California State Parent Teachers Association

**Norma Sierra**, Brawley High School District, Attendance and SARB Coordinator

**Mary Tobias Weaver**, California Department of Education, State SARB, State SARB Chairperson

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## THE WHY, WHO, WHEN, AND HOW OF SARB

School Attendance Review Boards (SARBs) were created by statute in 1974 and became operative in 1975. In establishing SARBs, the Legislature intended to develop new ways of coordinating school, community, and home efforts to deal with student attendance and behavior problems. SARBs were designed to maximize the use of all available resources and services, avoid unnecessary duplication of resources to resolve attendance and behavior problems, and divert students with school-related problems from the juvenile justice system. References to SARB can be found in *Education Code* sections 48320 et seq.

Local SARBs are composed of parents, representatives from the school district, and members of the community at large, including representatives from law enforcement, welfare, probation, mental health, and various youth service agencies and the district attorney's office (SARB membership is identified in statute, Ed. Code § 48321). The members meet regularly to combine their expertise and resources on behalf of the students referred to them. They work collaboratively to diagnose the problem and recommend alternative solutions to alleviate circumstances that contribute to specific truancy, attendance, or behavior problems.

Students are referred to SARB if they have persistent attendance and behavior problems in school, and when the normal avenues of classroom, school, and district counseling do not resolve the situation. When SARB members meet with referred students and their parents or guardians, their goal is to identify a solution or appropriate resources to resolve the student's problem. Districts have a variety of options available for referrals, including home or hospital instruction, independent study, and school transfers for referred students. Other frequently used solutions include:

1. Recommending changes in the student's program
2. Arranging for changes in teachers' assignments
3. Assisting students in securing employment
4. Directing the student and/or family to counseling services
5. Facilitating the parent's or guardian's participation in parenting classes
6. Requesting assistance from other agencies and programs
7. Arranging for tutoring



**SARB members meet regularly to combine their expertise and resources on behalf of the students referred to them.**

8. Coordinating assistance from volunteers to help students get to making the referral, the district must gather documentation that the pupil or the parents or guardians of the pupil or both have failed to respond to directives of the SARB or to services provided” (Ed. Code §48263). SARB must make this finding before a minor may come within the jurisdiction of the court (Welf. & Inst. Code §601).

Students and parents must understand that school attendance is not a matter of choice but is a mandate. SARB’s goal is to assist students and families in alleviating those factors that interfere with their compliance with the mandate. If the student and parent or guardian, however, choose not to use SARB assistance or follow school attendance laws, and the student does not attend school regularly, SARB will take necessary steps to enforce compulsory laws.

## THE PROCESS OF AN EFFECTIVE SARB

Effective SARBs begin their work with a student and his or her family well before the first formal meeting with the student. The process begins with the school and district attendance program that emphasizes regular school attendance. It includes emphasis on a positive school culture—one that is safe, secure, and peaceful. Such campuses typically have high attendance rates.

Plans for a comprehensive school attendance program should include three elements: prevention, early identification, and intervention. Each element has different strategies that need to be considered, and all elements reinforce the importance of regular attendance.

### Prevention, Early Identification, and Intervention

Prevention starts with a board policy on attendance. The policy reflects a philosophy that school attendance is important to all staff, students, and parents, and it supports involvement of staff members in maintaining high attendance. The policy further reflects a formal means of acknowledging and recognizing good student attendance. It encourages accountability in attendance by schools. When governing boards in districts and counties develop attendance policies, they should acknowledge the vital role families have in promoting school attendance. Solutions to attendance problems must include the family and support a collective approach to ensuring that youths attend classes and benefit from their education. Finally, the board policy should acknowledge that attendance is a community concern and encourage schools to collaborate with other agencies, including law enforcement agencies, and participate in a SARB program.

Other elements of prevention include school-based activities that encourage high attendance, such as an attendance awareness month, high teacher and school expectations of attendance, and recognition for students and classrooms that have high attendance.

Early identification begins in the classroom. Students who are tardy or who miss many days due to illness in the early grades may become habitual truants later if school personnel fail to connect these early indicators with effective early identification and intervention. Other early indicators may include patterns of attendance, such as students missing on Mondays or Fridays, siblings missing on the same days, and students “cutting” class during specific periods. Early identification and intervention allow the school to link families with school-based resources



SARB's challenge is to identify and link youth and their families to all appropriate school and community resources, including mediation programs that involve the district attorney or county probation department.

that may solve the problem before it becomes more serious. These early interventions may involve students and families and can include referral to parenting classes, class schedule changes, counseling, and referrals to student study teams or student assistance programs.

Students and families must view interventions as supportive and not punitive or judgmental. SARB's challenge is to identify and link youth and their families to all appropriate school and community resources, including mediation programs that involve the district attorney or county probation department. SARBs should involve families and youths in selecting the services and resources and in developing the solutions to school attendance problems. These solutions should incorporate the strengths of the family and build upon areas in which the family has assets. Whenever SARBs intervene in attendance cases, they should avoid acting as "rubber stamps" for districts and emphasize collaborative problem solving with the family and student.

Unfortunately, schools often use SARB as a last resort to "punish" students and families who have not complied with school recommendations. SARB efforts then have a minimal effect on changing a student's attendance pattern.

SARBs can use legal interventions when all other appropriate resources have been exhausted. These legal interventions may include any of the following: a complaint filed with the district attorney under *Education Code* Section 48923, which alleges that the family failed to follow a SARB directive; a petition in juvenile court under *Welfare and Institutions Code* Section 601(b); or a referral to the courts under *Welfare and Institutions Code* Section 300. These actions are usually reserved for the most difficult or serious cases, and SARBs use these measures when more traditional and less intrusive measures have failed to change a serious attendance problem.

### Qualities of Effective SARBs

An effective SARB process incorporates a "feedback" mechanism so that SARB members have full knowledge of the outcomes of their interventions. These feedback mechanisms apply to individual cases and include monitoring the student's attendance and following through on family referrals. SARBs must also monitor the responsiveness of agencies to which they referred cases and identify any barriers to service. Local SARBs should prepare reports that list what happened to cases acted upon over the school year. In addition, SARBs should examine the effectiveness of the overall attendance practices at the prevention and early identification level.

County SARB membership must include parents and representatives from the following agencies: school district, county probation department, county welfare department, county superintendent of schools, law enforcement, youth service centers, school guidance personnel, and child welfare and attendance. Other community members

should also be involved, such as representatives from county mental health departments, local businesses, county health departments, community-based organizations, family service agencies, and other “stakeholders” in student attendance. Public agencies and community members all benefit from positive student attendance and the resulting improved achievement. By acting collaboratively with SARB, these agencies can more effectively utilize their resources or create resources where service gaps exist. Local SARBs may have the same membership as county SARBs (Ed. Code § 48321 (a) and (b)).

### Suggestions for Effective SARB Operations

Many effective SARB programs operate across the state. They use a variety of strategies to increase their success rate in diverting or minimizing the degree to which students become involved in the juvenile justice system. The following suggestions increase the likelihood of SARB success:

1. Hold SARB meetings in the community (e.g., probation departments, courtrooms, city council chambers, or other official buildings).
2. Hold SARB on nonjuvenile court days.
3. Prescreen cases to determine who will be needed on the SARB committee to meet the special needs of the student and family. Be especially sensitive to ethnic and cultural needs.
4. Ask SARB members to dress in an official or a professional manner, including uniforms for law enforcement personnel, to emphasize the seriousness of the proceedings.
5. Use the primary language of the family, if possible, or have interpreters available.
6. Select bilingual SARB members to meet the language needs of youths and their families.
7. Explain the SARB meeting process to parents before it begins.
8. Rotate chairpersons who facilitate and lead the meetings.
9. Avoid counseling and focus on problem solving.

## OPERATIONAL FOUNDATIONS OF LOCAL SARBS

A school district or districts desiring to form a local SARB must write a letter to the current county SARB chairperson requesting permission to form such a body. The letter should include the name of the local district or consortium, geographic area covered, identified needs, representatives available to serve, and signature(s) of the local superintendent(s). After the county SARB chairperson or county consultant has reviewed the letters and request, he or she will schedule an initial meeting with the superintendent(s) or designee(s) to discuss what steps need to be taken to initiate a successful SARB. The chairperson then submits the written request to the county SARB for discussion, and if the request is approved, local SARB organizers may complete their plans to form a SARB.

If the school district is in a county in which there is no county SARB, it may establish a SARB that operates in the same manner as a county SARB and has the same authority.

### Suggested Criteria for Selecting SARB Representatives

Dedicated SARB members are critical for its success, and time spent in recruiting qualified personnel is important. When initiating a local SARB or recruiting new members, SARB should select people with the following qualities:

1. Leadership ability
2. Freedom to attend meetings on a regular or emergency basis
3. Experience as a committee chairperson or officer (or equivalent experience) dealing with problems of delinquency prevention and/or rehabilitation
4. Knowledge of and experience with youth-serving public and private agencies
5. An understanding of the prevention and diversion philosophy in the juvenile justice system
6. An understanding of and respect for individual and group differences, individual and family rights and privacy, and the concept of confidentiality

SARB should give special consideration to recruiting persons who have the ability to serve without compensation since the law does not provide for such compensation; e.g., parent representative. (A SARB

may wish to reimburse a parent for travel expense.) In addition, SARB should consider a balance of representation in its selection process to reflect persons of different ethnic, racial, and geographic backgrounds, both genders, and the public and private sectors of its school communities.

**Nomination or appointment of representatives.** Although local and county SARBs have the *Education Code* prescribing categories of persons to involve, the State SARB recommends the following procedures to gain an appropriate representation:

- A. *Parent.* Contact the PTA or other parent advisory group for a SARB representative.
- B. *School District Representatives.* Contact the district superintendent for district representatives from a cross section of levels, programs, and disciplines; e.g., elementary school teacher, junior high or middle school school teacher, and senior high school teacher, administrator, counselor, continuation education instructor, representatives from special schools and programs, child welfare and attendance consultants, school psychologists.
- C. *County Probation Department.* Contact the chief probation officer for a representative of the probation department.
- D. *County Welfare Department.* Contact the director of the welfare department to determine who will represent the department.
- E. *Law Enforcement Agency.* Contact the county sheriff and/or chief of police for a law enforcement representative.
- F. *Community-Based Youth Service Organizations.* Contact individual community based service organizations to determine personnel—paid or volunteer—available to represent their community services organization.
- G. *School Guidance Representative.* Contact the district's pupil services director for a school guidance representative.
- H. *Child Welfare and Attendance (CWA) Representative.* Contact the district's supervisor of child welfare and attendance for a representative knowledgeable in CWA work.
- I. *Other Representatives.* Consider other representatives to meet local needs, but the board should not be so large as to become ineffective. Such persons shall be contacted regarding their interest, ability to attend meetings regularly, and willingness to serve on such a board prior to appointment. These persons shall be appointed by the county board of education.
- J. *Designated Alternate Representatives.* Follow the same process for alternate representatives as in selecting official representatives.



Dedicated SARB members are critical for its success, and time spent in recruiting qualified personnel is important.

K. *County Superintendent of Schools Representative.* Contact the county superintendent of schools for a representative to be available in an ex officio advisory capacity.

**Organizational requirements.** Effective SARBs establish the policies and procedures that clarify their purposes and foster efficient conduct of business. When counties or districts initiate a SARB, they must meet basic organizational requirements if they are to be effective in working with students and families to resolve attendance and behavior problems. The basic requirements for SARB include:

1. Selecting a chairperson and arranging for secretarial help.
2. Establishing tenure of membership to provide continuity and new perspectives.
3. Establishing a meeting schedule that identifies when, where, and how often SARB will meet.
4. Considering the location of SARB meetings for the convenience of all representatives, parents, and pupils.
5. Determining what records are required for local SARBs and developing a system for record keeping and storage. SARBs must maintain records in a manner that guarantees confidentiality and accessibility.
6. Maintaining records that track the types of SARB referrals, grade level, gender, age, and disposition of the case.
7. Identifying and maintaining a continuing inventory of community resources for student and family referrals and use. The resources should include alternative educational programs.
8. Recommending appropriate improvement of resources or programs, as needed.
9. Creating new resources when none exist.
10. Providing for continuing evaluation of the quality and appropriateness of service from community agencies.

**Rules and regulations.** Each local SARB shall develop bylaws. Local SARBs shall be governed by their adopted rules and regulations, which shall not be inconsistent with rules and regulations formulated by the county School Attendance Review Board or legal requirements.

**Annual report.** Local and county SARBs should summarize their operations during the year in an annual report to their governing boards and member organizations. Members can use the report to justify their personnel time devoted to SARB, and the data provide a rationale for expanding or modifying SARB activities throughout the county and state. The report, signed by the superintendent(s) of the



local school district(s), shall include, but not be limited to, the following information:

1. Name of chairperson, name of each SARB member and the organization the member represents
2. Types and number of referrals (attendance or insubordination)
3. Number of students referred at each grade level to the local SARB and the total number of students referred
4. Disposition of and number of referrals (Disposition data could be organized by categories, such as student moved, student attending, transfer to alternative setting, student dropped out, student not attending according to agreement, student expelled.)
5. Number of cases, by grade level, referred to the county SARB
6. Number of cases referred to the local district attorney
7. Dropout numbers and ratio at each level: elementary school, junior high/middle school, and high school

#### Open Meetings and Confidentiality

State SARB members have asked for legal advice about common SARB operations. The following legal responses provide direction to all county and local SARBs as they work to meet the needs of youths and their families.

#### The Brown Act

A county SARB is established under the authority of *Education Code* Section 48321. Its members, other than representatives of school districts, are appointed by the county board of education. The powers of a SARB include adoption of plans to promote interagency and community cooperation and reduce duplication services provided to youths who have serious school attendance and behavior problems, the establishment of local SARBs, the adoption of rules and regulations, and the consideration of cases referred to it involving individual students pursuant to *Welfare and Institutions Code* Section 601 and *Education Code* Section 48263.

The Brown Act applies to legislative bodies of local agencies. The county and school districts are local agencies for the purposes of the Brown Act. Legislative bodies include not only governing bodies, such as the board of supervisors and boards of education, but also any commissions, committees, or other bodies of a local agency, whether permanent or temporary, decision making or advisory, created by resolution or any other formal action of a legislative body (Govt. Code § 54952). A SARB would fall within the definition of a legislative body of a local agency.



Is SARB subject to any part of the Brown Act? Yes, although closed meetings may be held under certain circumstances.



In many cases, these minutes contain the names of the minor and the agency representatives participating in the meeting. These minutes often attribute specific comments to a specific person. Can parents request these minutes? Should names be omitted in the minutes? Can parents obtain the minutes if they do not have physical custody of the child?



Can comment sheets (informal notes taken by SARB members during interviews) or minutes be subpoenaed?

Can SARB members use comment sheets or minutes at a juvenile court hearing?

Therefore, SARBs should have agendas, which should be posted, and generally should act only on matters on the agenda. SARBs may hold closed sessions when considering matters relating to individual students, and those sessions need to be a part of the regular or special meeting for which notices and agendas are required. In many cases, SARB has written minutes of its meetings.

#### Minutes from SARB Meetings

SARBs should keep minutes of open sessions, and these minutes are public record, subject to inspection by any person. The Brown Act does not require that minutes be kept of closed sessions. Section 54957.2 of the *Government Code* provides that a legislative body may keep a minute book of topics discussed and decisions made at closed sessions. The section provides that: "The minute book made pursuant to this section is not a public record subject to inspection pursuant to the California Public Records Act and shall be kept confidential. The minute book shall be available only to members of the legislative body, or if a violation of this chapter is alleged to have occurred at a closed session, to a court of general jurisdiction wherein the local agency lies. Such minute book may, but need not, consist of a recording of the closed session."

If minutes are kept of closed sessions, they should be kept separately from the minutes of open sessions. Parents, whether custodial or not, should not be given access to the minutes of closed sessions. Whether or not names are used is a policy matter for SARB and would depend on the purpose for which the minutes are intended. It is not necessary for any minutes to attempt to summarize all discussion held on a matter. It is necessary, however, for the minutes to identify the items considered and to report the action taken on any item.

The basis for holding a closed session is primarily Section 49076 of the *Education Code*, which provides that SARBs have access to pupil records but are precluded from permitting others access to such information without the written consent of the pupil's parent or guardian. The possibility that SARB may refer a student to juvenile court adds support for holding closed sessions.

#### Comment Sheets

While such items may be subject to a subpoena, the issue is whether an attempt to quash such a subpoena would likely succeed. If comments sheets are not part of the SARB records and are kept or destroyed by persons who make them, the comment sheets would not appear to be public records. As to the right to subpoena such documents, an individual's thought process used when a body makes a decision is generally not relevant. This irrelevance should be the basis to oppose disclosure pursuant to a subpoena. Minutes are confidential in a closed session and should not be released on the basis of a subpoena without a specific court order.

### Juvenile Court Hearings

This issue is one for the juvenile court. However, if the witness is giving relevant testimony and uses notes to help refresh his or her recollection, the parties to the case will be entitled to see those notes.

The language of *Government Code* Section 54957.2 makes minutes of a closed session confidential and subject only to review by a court to determine whether a Brown Act violation has occurred. Therefore, minutes should not be used in a court hearing. *Education Code* Section 48263 provides that when SARB decides that a matter should be referred to the juvenile court, the SARB “shall submit to the juvenile court documentation of efforts to secure attendance as well as its recommendations to what action the juvenile court shall take in order to bring about a proper disposition of the case.” The SARB should prepare and compile documentation apart from the minutes that may be taken at a meeting.

### Electronic Recordings

Electronic recordings can be treated as the minutes of a closed session. With regard to open meetings, the Brown Act gives anyone attending such a meeting the right to record it unless SARB finds that such a recording will persistently disrupt its meeting (Govt. Code § 54953.5).

### Confidentiality of Proceedings

Under the Brown Act, agendas must contain a brief general description of each item to be transacted or discussed, including items to be discussed in closed session (Govt. Code § 54954.5). The agenda should indicate that it will consider student referrals in closed session. The names of the students need not be on the agenda. One possible method of handling the matter would be to assign a case number for each referral and list the appropriate case numbers on the agenda.

### Guidelines for Schools

National figures show that one in six children is experiencing mental health problems and can benefit from treatment. The schools are in a key position to identify children with both behavior and attendance problems. Concerned classroom teachers are in a position to identify children with problems, and they must be alert to the symptoms which indicate problems and the resources available in the school district and the community.

Symptoms could lead to more serious problems later on, and, therefore, it is important that intervention activities take place early. Preventive work should begin in kindergarten and include intensive case work for irregular attendance and noticeable behavior problems. School site attendance and administrative personnel should examine student absence records and discipline referrals regularly and frequently to determine types of appropriate intervention strategies. Any



Can SARB electronically record (on audiotape or video) the proceedings of its meetings?

How confidential are SARB proceedings?

intervention should build on student and family strengths and assist the student to assume responsibility for his or her behaviors.

**Absence from school.** When attendance personnel examine student absences, they should determine whether the absences are excessive in number; show a pattern of behaviors, such as the student being absent mostly on Monday and Friday, when exams are scheduled, from the same class, before or after lunch, or for a variety of minor health complaints; or result from the frustrations inherent in a possible learning disorder.

**Behavior.** School personnel need to be alert to warning signs of possible attendance and behavior problems and difficulty in learning. The symptoms may be temporary or indicate the need for in-depth attention. Common symptoms requiring further assessment include:

- Difficulty in learning and failure to achieve
- Resentment of authority and excessive sensitivity to criticism
- Shy, withdrawn behavior; nail biting, frequent crying, constant tension, or undue fears
- Frequent emotional outbursts, temper tantrums, or obstinate behavior; extreme restlessness or impulsiveness
- Speech difficulties
- Excessive dependence on adults or anxiety of being separated from parents; immaturity; poor peer relationships
- Unhappiness or depression
- Frequent class disruptive behaviors

**School interventions.** Each school district should develop a list of possible school site strategies and appropriate community resources for referring students and their families to professional help or assistance.

Schools and SARB have many options in addressing attendance or behavior problems. Collectively they can probe to find the most appropriate solution for each student and family. Schools may wish to explore their possible options prior to involving SARB, but SARB can be an invaluable aid in suggesting or enforcing the following strategies:

1. Use asset-based assessment in student and parent/guardian conferences (both parents or guardians when possible).
2. Conduct staff conferences about the specific needs of students.
3. Consider a flexible class schedule in which students can take early and late classes.

4. Use vocational placement or enrichment at a work site as a student alternative.
5. Change the student's schedule and/or instructor to best match student needs with available course offerings.
6. Request an intra- or interdistrict transfer for the student to give the student a new beginning.
7. Request a physical examination to determine any physical reasons for learning or behavior difficulties.
8. Refer the student to a school psychologist or to resources in the community that can assist the student and family.
9. Arrange for a student transfer to an alternative program or class that can meet the student's needs.
10. Use alternative educational placements for students, such as opportunity classes and pregnant-minor classes.
11. Provide the necessary evaluation for possible placement in special education programs.
12. Take full advantage of community resources. Make SARB resource listings available to families and make referrals to community programs after considering carefully the individual's needs.

These efforts comply with the legislative intent for intensive guidance and coordinated community services to be provided to meet special needs of pupils with school attendance or school behavior problems.

#### Referral to Local SARB

After a school refers a student to SARB, a designated SARB member reviews the case to determine whether the school has included sufficient documentation on the student's attendance or behavior. School personnel attend a screening meeting with a designated SARB member or child welfare and attendance supervisor to determine the adequacy of the case, identify the date and location of the hearing, and determine the appropriate available guidance and community resources for the case. If SARB considers the documentation and verification actions inadequate, it will remand the case to the school and district for further work. If the referral case is proper, SARB will schedule a meeting that includes SARB members, the student, parent or guardian, and school site and district representatives.

Prior to the hearing, the SARB chairperson completes all required forms and notifies the parent or guardian in writing that a SARB



SARB can take legal action, based on its county's established procedures, if it determines the student's attendance or behavior problems persist after exhausting community resources.

referral has been made. The letter identifies the reasons for the referral, explains the SARB process, identifies the members of the local SARB, states information from the student's records will be released to SARB, and invites the parent or guardian to participate in a conference at a specified date and location. The chairperson also sends a copy of the letter to the pupil and appropriate personnel in the school district.

**SARB agreement or contract.** At the SARB meeting, members will identify the problem, assess the contributing factors, discuss the school's position, and recommend ways to alleviate the problems. SARB usually formalizes the solutions developed in a contract with the student to be signed by the student, parents or guardians, SARB chairperson, and school district representative. The SARB chairperson clarifies all the contract agreements made which should include an agreement that the student will attend school or improve classroom behavior, a statement of the responsibilities of all persons involved, specific referrals made to community services or agencies, and follow-up dates by which the school must report the student's progress in meeting the contract terms. The SARB chairperson should send a letter to the parent or guardian to confirm the content of the agreement. SARBs may find the sample School-Site Student and Parent Agreement in Chapter 6 helpful when they develop their forms.

**Progress report.** The school representative is responsible for submitting follow-up reports to SARB. These follow-up reports will prepare SARB for possible next steps: time extension for contract completion, termination of the agreement, or follow-up conferences to determine the need to escalate interventions. If the school determines the student needs additional time to meet all the conditions of the agreement, it may request SARB grant an extension of the agreement; and SARBs usually grant reasonable requests. If the school's reports indicate acceptable improvement, SARB may terminate the agreement and acknowledge the student's achievement either in a final conference with the student and parent or guardian or in a letter to all concerned persons. If, however, there has been inadequate progress or the agreement has not been maintained by the parent/guardian or pupil, the school representative may request that SARB consider an administrative decision, such as rescheduling a conference with the student and parent or guardian, or initiating legal action.

**Request for legal action.** SARB can take legal action, based on its county's established procedures, if it determines the student's attendance or behavior problems persist after exhausting community resources. Legal action also can result if the student and family do not follow SARB recommendations, the student violates the terms of the SARB contract, or the student or family fails to cooperate with the local SARB. These legal actions can include several options:

1. Directing the school district to request the probation department investigate the matter on behalf of the minor.

Copies of the request forms should be sent to the county superintendent of schools.

2. Directing the school district to request the Department of Social Services file a petition on behalf of the minor (Welf. & Inst. Code § 300).
3. Requiring the school district to file a complaint against the parent(s) or guardian for violating *Education Code* sections 48291 and 48452, and *Welfare and Institutions Code* Section 601.2.

### Factors of Effective SARB Meetings

Conducting a successful productive conference requires both skill and advance planning and work. The chairperson sets the tone for the conference, which should be conducted with a formality between an informal counseling session and a formal juvenile court hearing. SARB members must remember their purpose is to help and not to punish.

**Advanced preparation for conference.** Before a local or county SARB meets with the student and parent or guardian, the chairperson has several tasks and responsibilities to fulfill. It is the role of the chairperson to do the following:

1. Confirm date, time, and place with parent and pupil. Clarify need for transportation or child care and give a telephone number to call in case of illness or emergency.
2. Review documentation for appropriateness to hearing.
3. Designate one SARB member to meet parent and pupil outside the conference room and bring them in at the appropriate time.
4. Check and verify that a quorum of SARB members will be present.
5. Start conference on time and conclude on time.
6. Ensure the physical setting for the hearing reflects the importance of the meeting.
7. Confirm all the needed materials are available: name plates for SARB members, case records, paper and pens for note taking, box of tissues, simple refreshments, resource and reference materials (e.g., *Education Code*, *Welfare and Institutions Code*, and attendance bulletins)

**Appropriate conference techniques.** When a SARB meeting is being conducted, the attitude of the members can have a major impact on the outcome. A formal yet friendly demeanor seems to set the best tone. State SARB suggests the following strategies to facilitate the meeting:



SARB members must remember their purpose is to help and not to punish.

1. Give concrete suggestions and provide specific resource listings for the parent and child.
2. Give the parent or guardian a written copy of the suggestions or references.
3. Be alert to reactions of parent and child.
4. Use a consistent procedure when conducting meetings.
5. Give the student and parent or guardian an opportunity to discuss the case and indicate their understanding of the problem.
6. Emphasize that all SARB members are united in their commitment to support the attempts of the student and parent or guardian to solve the problem.

**Roles of the SARB chairperson.** The chairperson has a pivotal role in the SARB meeting. His or her opening remarks are very important in setting a positive tone for the conference. He or she establishes the goal of the conference and identifies the procedures for the meeting. Meeting participants must understand the emphasis on shared decision making that makes SARB an effective tool. After the meeting ends, the chairperson has the responsibility for making necessary notations about the proceedings and forwarding the necessary information to the appropriate resource personnel.



## ENFORCING COMPULSORY SCHOOL ATTENDANCE LAWS

Districts have the responsibility of initiating the response to violations of compulsory attendance laws. The success of the response is linked directly to the availability of accurate and complete school attendance records that document the extent and nature of the violation. The following guidelines are designed to assist school district personnel in handling violations of compulsory attendance laws found in *Education Code* sections 48200, 48260, 48261, 48262, and 48263. (See Appendix B.)

### Guidelines for Handling Violations of Compulsory School Attendance Laws

School records, important sources of information in determining the details of the violation(s), must be accurate and complete if the district has sufficient reason to proceed with legal action. At a minimum, the records should include documentation of all contacts pertaining to attendance, both written and verbal, with the parent(s), guardian(s), and students. Accurate and detailed documentation ultimately may be introduced as evidence in an attendance trial; therefore, the district should record such information with the expectation it may become evidence.

The value of the record is linked directly to the manner in which the record was prepared and maintained. With accurate and detailed attendance and anecdotal records, the district will have a strong presentation in a trial and be able to withstand a strong cross-examination from the defense attorney.

Schools and districts should consider the following guidelines when documenting attendance violations:

1. Require persons contacting the parent or guardian to summarize conversations. The testimony of a person hearing statements firsthand from the parent or guardian will be admissible in court. Statements included in a student's file from secondhand sources reflect hearsay and are not admissible. (See Appendix C.)
2. Use return-receipt mail when sending letters and forms to parents or guardians. The evidence of a mailing—return-receipt—counters a denial of notice made by a parent or guardian in court.
3. Establish a clear procedure that provides detailed documentation. Keep in mind that as many details as possible about the record or form should be recorded—e.g., date received, name of the person receiving the report, who provided the report, source of the report, and purpose of the report. (See Appendix D.)





Parents are important partners in educating youths and enforcing compulsory attendance laws.

4. Be sure attendance documents include the name of the district's contact who has in-depth knowledge of the forms, records, and process. Attendance records, forms, and processes become important elements in establishing the foundation for a district's response to attendance violations. Only a person knowledgeable about records can testify about the nature of the report or form. Testimony is required about the following conditions: (a) the record was made at or near the time of the recorded act, condition, or event; (b) the sources of information as well as the method and time of preparation were such as to indicate trustworthiness; and (c) the identification and method of preparing business records, as opposed to the process for official records. (The person who makes the actual entry into the student's file need not testify if the custodian of records or other qualified witness on records testifies. This is especially helpful in the event of personnel turnover.)

All evidence introduced from testimony or physical evidence must be in accord with the *Evidence Code*. Much of what a lay person *feels* should be included in testimony may not be admissible. Anyone testifying must have personal knowledge of the matter.

In preparing for a trial related to attendance enforcement, consider the following suggestions to strengthen the SARB case:

- Document all personal contacts and intervention efforts with the student and parent or guardian. Document those statements made during the visit. It is advisable to include the school nurse in the visit, regardless of the excuse given for the pupil's absences, to observe possible health problems and to be available later as a corroborating witness.
- If the absence is clearly not within the exceptions identified in *Education Code* sections 48220-48230, the district must inform the parent or guardian of the apparent violations and the provisions in *Education Code* Section 48200. The district also should provide the parent(s) or guardian(s) with a copy of the code section (or read it to them) and advise them of the specific date the pupil must be in school. (See Appendix B.)

### Consequences for Parents or Guardians

Parents can reinforce the importance of school attendance; they are important partners in educating youths. When parents neglect their role and ignore compulsory attendance laws, they face possible legal penalties. If a judge determines the parent or guardian has ignored or failed to comply with attendance laws, the judge may fine the parent or guardian up to \$100 on a first conviction and up to \$250 for subsequent convictions (payments may be made in installments). The court may order the parent(s) or guardian(s) to participate in parent education or

counseling programs in lieu of a fine. If the parent(s) or guardian(s) fails to pay the fine willingly or any installment of the fine, or to attend a parent education or counseling program, he or she is in contempt of court. If the parent(s) or guardian(s) is found in contempt, the judge may impose a fine, jail, or both for failing to obey the court's orders.

#### Truancy: Who Does What, When

According to *Education Code* Section 48260, a pupil who is absent from school without a valid excuse for three days in one school year or is tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, **or any combination thereof**, is a truant and shall be reported to the district's attendance supervisor or the superintendent.

When the school district designates a student as truant, it must notify the parents or guardians by first-class mail (or other reasonable means) that the student is truant. The notice also must do the following:

1. Advise the parents or guardians of their obligation to compel the attendance of their student at school.
2. Advise them that if they fail to meet this obligation, they may be found guilty of an infraction and subject to criminal prosecution.
3. Advise them of alternative educational programs that are available in the district.
4. Advise them that their child may also be subject to prosecution.
5. Advise them that their child's driving privileges may be subject to suspension, restriction, or delay under *Vehicle Code* Section 13202.7.

The district may request that the parents or guardian accompany the student to school and attend classes with the pupil for one day.

When designated as a truant, the youth becomes subject to the following actions identified in *Education Code* Section 48264.5:

1. Upon the first truancy, the student may receive a written warning from a peace officer, and the school and peace officer may keep the record of warning for later reference.
2. Upon the second truancy in the same school year, the student may be assigned to an after-school or weekend student program located in the same county as the student's school. If the student fails to complete the assigned study program, he or she will be considered truant for the third time.
3. If the student fails to complete the assigned study program or is truant for a third time within the same school year, the district may refer the student to SARB or a truancy mediation program (or other comparable program approved by the district's attendance supervisor).



A student may lose his or her driving privileges if he or she attends a SARB program, probation department program, or truancy mediation program and is truant again.

4.If the student does not complete the truancy mediation program or is truant for the fourth time in the school year, he or she is classified as a habitual truant. The student is then within the jurisdiction of the juvenile court, which may adjudge the student a ward of the court pursuant to Section 601 of the *Welfare and Institutions Code*.

Once a student is adjudicated as a ward of the court, he or she is required to do one of the following:

- Perform court-approved community service for a public or private nonprofit agency for at least 20 hours but not more than 40 hours within a 90-day period. The student must perform the community service during a time other than school hours or hours of employment. If the student fails to complete the assigned community service, the assigned probation officer must report it to the court.
- Pay a fine of not more than \$100, for which the parents or guardian are jointly liable.
- Attend a court-approved truancy prevention program.

A student may lose his or her driving privileges if he or she attends a SARB program, probation department program, or truancy mediation program **and** is truant again. The court may suspend or revoke all driving privileges and the youth must surrender his or her license. However, the court must consider whether a personal or family hardship exists that requires the youth to have a driver's license. If the youth is not yet driving, his or her right to do so may be postponed for one year. For each additional time the minor is found to be truant, the court can add an additional year of waiting time for driving privileges.

In the event that the parents or guardian (or person in charge of the minor) fails to respond to the directives of SARB or to the services offered on behalf of the minor, SARB **shall** direct that the youth be referred to the probation department or to the county welfare department under Section 300 of the *Welfare and Institutions Code*. SARB may require the district to file a complaint against the parents or guardian, as provided in *Education Code* Section 48291 (for failure to follow SARB's directives) or Section 48454 (for failure to compel attendance).

In 1994, the Legislature expanded truancy intervention in *Education Code* Section 48264 by including probation officers to the list of persons who can arrest or assume temporary custody of a student found away from home or school during the school day without a valid excuse. Previously, that authority had been limited to attendance supervisors (or their designees), school administrators (or their designees), and law enforcement officers.

4. Use vocational placement or enrichment at a work site as a student alternative.
5. Change the student's schedule and/or instructor to best match student needs with available course offerings.
6. Request an intra- or interdistrict transfer for the student to give the student a new beginning.
7. Request a physical examination to determine any physical reasons for learning or behavior difficulties.
8. Refer the student to a school psychologist or to resources in the community that can assist the student and family.
9. Arrange for a student transfer to an alternative program or class that can meet the student's needs.
10. Use alternative educational placements for students, such as opportunity classes and pregnant-minor classes.
11. Provide the necessary evaluation for possible placement in special education programs.
12. Take full advantage of community resources. Make SARB resource listings available to families and make referrals to community programs after considering carefully the individual's needs.

These efforts comply with the legislative intent for intensive guidance and coordinated community services to be provided to meet special needs of pupils with school attendance or school behavior problems.

#### Referral to Local SARB

After a school refers a student to SARB, a designated SARB member reviews the case to determine whether the school has included sufficient documentation on the student's attendance or behavior. School personnel attend a screening meeting with a designated SARB member or child welfare and attendance supervisor to determine the adequacy of the case, identify the date and location of the hearing, and determine the appropriate available guidance and community resources for the case. If SARB considers the documentation and verification actions inadequate, it will remand the case to the school and district for further work. If the referral case is proper, SARB will schedule a meeting that includes SARB members, the student, parent or guardian, and school site and district representatives.

Prior to the hearing, the SARB chairperson completes all required forms and notifies the parent or guardian in writing that a SARB

## ALTERNATIVE MEDIATION PROGRAMS

Many county offices of education and local districts have formal programs with the Office of the District Attorney and/or county probation department. These programs follow up efforts by districts and local SARBs, and they successfully return habitually truant children to school and encourage their continued attendance. School officials first notify parents or guardians of compulsory attendance laws and parental responsibilities for school attendance. If, after notifying parents or guardians, youths still are truant, school officials use the SARB process. If SARB determines that its resources are not adequate to resolve the problem with the youth or parents and that additional resources are necessary or if the parties have failed to respond to the directions of SARB about attendance, SARB has the option of referring the case to a district attorney's or county probation's Truancy Mediation Program. These programs are authorized by *Welfare and Institutions Code* Section 601.3 and *Education Code* Section 48263.5.

### District Attorney and County Probation Department Programs

The following two programs are examples for county offices of education and local school districts considering alternative programs to reduce truancy.

**Los Angeles County District Attorney Truancy Mediation.** In Los Angeles County, the district attorney accepts problematic attendance cases when the local SARBs determine the youth and his or her parents or guardians have not responded to SARB directions and resources. This district attorney's program has countywide jurisdiction and receives referrals from all local SARBs in the county.

When the district attorney's staff accept the case, they send a letter to the parents or guardians requesting their attendance at a hearing with the youth. The district attorney also requests the school attendance worker handling the case to attend. The hearing officer conducts a hearing with both the parents and child and recommends the next appropriate step to resolve the matter. The hearing officer may take no further action other than requiring that the school attendance worker monitor the child's attendance. If the youth has satisfactory attendance, the district attorney may transfer the case to inactive status after 45 days.

Any subsequent unsatisfactory attendance is reported immediately to the appropriate Juvenile Division Deputy District Attorney. The Juvenile Division deputy in charge (or a designee) will refer the parents of the

child for prosecution if the parents are the persons responsible for the continued poor attendance. The Juvenile Division deputy will refer the matter to the probation department to be considered as a “section 601 Petition in Juvenile Court” if the parents and child are jointly at fault or if the child alone is at fault. The school attendance worker is responsible for presenting evidence to support the filing against the parent, child, or both.

**Tulare County Probation Truancy Mediation.** In Tulare County, the Visalia Unified School District has created a truancy mediation program in conjunction with the county probation department. In this program, the probation department has assigned an officer to cochair the district’s SARB. At the formal SARB hearing, the officer informs the student and family that should they not follow the SARB contract, the case will be referred to the probation department for handling. If a case is referred, staff in the probation department notify the parent or guardian of a scheduled meeting for the student and parent or guardian. During that meeting, the probation officer places the student on a six-month informal probation contract and informs the family of the terms and conditions of the probation, emphasizing their responsibilities regarding attendance and behavior. Additionally, during this meeting, the officer notifies the parent or guardian of a possible referral to municipal court for prosecution should the family fail to cooperate fully. During the six-month probation, SARB provides monthly progress reports to the probation officer handling the case.

#### Basic Documents Necessary for Filing

**Attendance records.** Keep attendance records as simple as possible; the case must be understood by the prosecuting attorney or probation officer and explainable to the trial court. Be prepared to provide the name of a person who can testify as to the compilation, accuracy, and maintenance of these records. Include the attendance records and be sure to include a summary sheet of the attendance information.

**Documentation letter.** Keep copies of all correspondence between the school and the parent or guardian, all instructions given to the parent or guardian, and any other written documents provided by either party for the other.

**Case history.** Note every occurrence concerning the case, including the action taken, the name of the person who initiated the action, names of all persons involved, and the dates and times of interactions. Include all telephone conversations, any observations of behavior, or any detail concerning the case. The records give the prosecuting attorney or probation officer and the court an overview of the school’s actions as well as the completeness of those actions regarding the preparation of the case prior to the submittal of the case for prosecution. (Notes may be handwritten and in abbreviated form.)



If SARB determines that its resources are not adequate to resolve the problem with the youth or parents and that additional resources are necessary or if the parties have failed to respond to the directions of SARB about attendance, SARB has the option of referring the case to a district attorney’s or county probation’s Truancy Mediation Program.

**Case outline.** Summarize the case briefly. Tell what the problem is, what the school has done to solve the problem, and what the school has done to educate the parents about the problem. Include the parents' response to the school's efforts and an analysis of why the school feels that the problem is now deserving of criminal action. The summary orients the prosecuting attorney and focuses the submitting official's attention on prosecutable issues.

## SAMPLE DOCUMENTS FOR PUPIL ATTENDANCE PROBLEMS

The following forms, letters, and documents are suggested examples, to be modified as appropriate. Establishing uniformity would expedite processing and build consistency as personnel move from one area to another.

- Truancy Report
- School-Site, Student, and Parent Agreement
- Notification Letter of Parent Meeting at District Office
- Attendance Records and Summary of Action
- Confidential SARB Referral Form
- Notification Letter of SARB Referral
- Student-Parent Agreement
- Summary of Parent(s) and Pupil Conference and Agreement
- SARB Follow-Up Letter
- SARB Congratulations Letter
- SARB Identification Stickers
- SARB Annual Report Form
- District/County SARB Annual Summary Report



## Truancy Report

(Check one)

- ☐ 1st Truancy Report  
☐ 2nd Truancy Report  
☐ 3rd Truancy Report  
☐ Habitual Truant Report

**XYZ Unified School District  
Truancy Report**

To: Supervisor of Attendance		Date:	
From:		School:	
RE:	(Last name) (First name)	Birthdate:	Grade:
Address:			Phone:
(Number) (Street) (City) (Zip)			
Parents/Guardians			

This report covers the period from \_\_\_\_\_ to \_\_\_\_\_

Total Number of School Days in Current Year	Total Days of Unexcused Absences in Current Year	Total Period Absences	Total Periods of Unexcused Absences in Current Year
---	--	-----------------------	---

<b>Corrective Actions Taken:</b> (check all that apply)  <input type="checkbox"/> Home Call(s) <input type="checkbox"/> Letter(s) to Parent/Guardian <input type="checkbox"/> Counselor/Student Conference(s) <input type="checkbox"/> Student Conference(s) <input type="checkbox"/> Parent Conference(s) <input type="checkbox"/> Other	Comments:
--	-----------

The Education Code, State of California, deals with truancy in the following sections:

- § 48260 Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse for three days in one school year or tardy or absent for more than 30 minutes during the schoolday without valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the district's attendance supervisor or to the superintendent of the school district.
- § 48260.5 The parent or guardian is obligated to compel the attendance of the pupil at school. Parents or guardians who fail to meet this obligation may be guilty of an infraction and subject to prosecution. Parents or guardians have the right to meet with appropriate school personnel to discuss solutions to the pupil's truancy.
- § 48261 Any pupil who has once been reported as a truant and who is again absent from school without valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the school district.
- § 48262 Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261.

 \_\_\_\_\_  
 Signature of Administrator

 \_\_\_\_\_  
 Title

Distribution: White copy to parent/guardians, yellow and pink copies to school (student record/administrator), goldenrod copy to district personnel office

## School-Site, Student, and Parent Agreement

Student's name		Grade	School
Date of birth			
Student's address			Home telephone
Street	City	Zip	

It is with complete understanding that I sign this agreement, knowing that further violations of school rules and regulations can result in a referral to the district School Attendance Review Board (SARB).

I agree to abide by the directions of the School Attendance Review Team (SART) as outlined below.

1. Attend school regularly and on time each day.
2. Abide by school rules and regulations.
3. Obey the directions of my teachers and administrators.
4. Complete my class assignments.
5. Develop a positive attitude about school.
6. Other

Student's signature \_\_\_\_\_ Date \_\_\_\_\_

I agree to abide by the directions of the School Attendance Review Team (SART) as outlined below.

1. Cooperate with school officials.
2. Ensure my (son/daughter)'s compliance with SART directives.
3. Comply with SART's assignments of specific parental responsibilities.
4. Notify the attendance office when my (son/daughter) violates agreement.
5. Obtain medical notes when my (son/daughter) is absent for more than one day.
6. Attend classes with my (son/daughter) after next incidence of truancy/misbehavior.
7. Pick up, or make arrangements to have picked up, my (son/daughter)'s homework if (he/she) will be out of school more than two days.
8. Bring my (son/daughter) to school daily and on time.
9. Talk with my (son/daughter) in positive terms about school.
10. Other

Parent's signature \_\_\_\_\_ Date \_\_\_\_\_

Principal/designee signature \_\_\_\_\_ Date \_\_\_\_\_

SART chairperson's signature \_\_\_\_\_ Date \_\_\_\_\_

cc: Student file, teacher, site administrator, SART chairman, Child Welfare and Attendance supervisor

## Notification Letter of Parent Meeting at District Office

Date \_\_\_\_\_

School \_\_\_\_\_

Dear \_\_\_\_\_:

This letter is to inform you that after repeated discussion, conferences and meetings concerning \_\_\_\_\_'s attendance, (his/her) attendance has not improved. Your (son/daughter) was again absent/tardy on the following date(s):

☐ Truant or unexcused absence on \_\_\_\_\_

☐ Tardy on \_\_\_\_\_

☐ Excessive excused absence on \_\_\_\_\_

This poor attendance/punctuality is:

- ☐ Seriously affecting (his/her) education
- ☐ Seriously affecting the classroom learning process
- ☐ Creating a poor example for other children

Because your (son/daughter)'s attendance has not improved, I have scheduled a meeting with the supervisor of Child Welfare and Attendance to identify possible solutions to improving your son's/daughter's attendance. This meeting, **for you and your son/daughter**, has been scheduled for

\_\_\_\_\_ at 4:00 p.m. in the District Office, located at \_\_\_\_\_.

Please contact the Child Welfare and Attendance Office at \_\_\_\_\_ no later than \_\_\_\_\_ 199\_\_ to confirm this meeting.

Failure to attend this meeting with the supervisor of Child Welfare and Attendance will result in a referral to the district School Attendance Review Board (SARB).

Education Code section 48263 - If any minor in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a School Attendance Review Board.

I look forward to meeting with you to resolve this very serious problem.

Sincerely,

Principal or designee

cc: Student file, site administrator, Child Welfare and Attendance supervisor

## Attendance Records and Summary of Action

**Student and Family Information**

Name of Minor (Last Name, First)			Date of Birth	Age	Sex	Height	Weight	Date of Report
Eye Color	Hair Color	Ethnic Origin	Distinguishing Marks					
Address (Number/Street/City/Zip)								
School and District								Grade
Father/Stepfather		Date of Birth	Address				Phone No.	
Mother/Stepmother		Date of Birth	Address				Phone No.	
Guardian		Date of Birth	Address				Phone No.	

**Summary of Problem**

Problem Statement (Use attachments if necessary.)
--

**Summary of Absences**

	Current School Year	Prior School Year
Total # of school days absent to date		
# Days absent with valid excuse		
# Days truant		
# Days absent with non-valid excuse		
# Days not enrolled		

**601.1 WIC Habitually Truant.**

1. Said minor was absent from school without valid excuse for three days in one school year, or tardy or absent for more than any 30-minute period during the school day without a valid excuse on three occasions in one school year, or any combination thereof.

Dates of Absences/Tardies Ed. Code § 48260	Dates of Verification	Person Contacted (Parent, Guardian, Person in Charge)	Employee Contacting Family (Name of School Official)	Method of Contact
1st				
2nd				
3rd				
Truancy was reported to: (Supervisor of Attendance)				Date

2. Having been reported as a truant, the said minor was again absent without valid excuse or tardy an additional day.

Date of Absence/Tardy Ed. Code § 48262	Dates of Verification	Person Contacted (Parent, Guardian, Person in Charge)	Employee Contacting Family (Name of School Official)	Method of Contact
Truancy was reported to: (Supervisor of Attendance)				Date

Pursuant to Education Code Section 48262, a conference was set with the parent/guardian and student on: \_\_\_\_\_

The results of that meeting were: \_\_\_\_\_

The parent/guardian meeting was not conducted because: \_\_\_\_\_

3. Subsequent to the above dates, the said minor was again absent without valid excuse or tardy an additional day.

Date of Absence/Tardy Ed. Code § 48262	Dates of Verification	Person Contacted (Parent, Guardian, Person in Charge)	Employee Contacting Family (Name of School Official)	Method of Contact
Truancy was reported to: (Supervisor of Attendance)				Date

**Excessive Absences:** Parents/Guardian have failed to send youth to full-time day/continuation school, to wit: (Use attachments if necessary, to identify date, person contacted, person who made the contact, and the explanations for each absence.)

Minor having been habitually truant or excessively absent or both, SARB referral made to \_\_\_\_\_  
on \_\_\_\_\_ (Name of local SARB)

### School Attendance Review Board Findings

Date(s) of SARB meetings with the minor and parents/guardians: \_\_\_\_\_

SARB determined public and private services were insufficient or inappropriate **and** minor failed to respond to directives or services provided as follows: (Use attachments as necessary.)

In that the above situation exists, SARB requests the case be referred to the Probation Department for filing of a petition, pursuant to Welfare and Institutions Code Section 601, alleging the minor is a habitual truant pursuant to Education Code sections 48200, 448262, 48400, or 48402.

Are there prior or current Juvenile Court proceedings (WIC §§ 300, 601, or 602)? If yes, please explain:

I certify under penalty of perjury under the laws of the State of California that the foregoing information is correct.

\_\_\_\_\_  
Signature of the SARB Chairperson

\_\_\_\_\_  
Date

SARB  
Seal

### Necessary Items for Filing a Petition with the Court

Certified copies of:

Minor's student attendance record (including a legend for notations)  
Record of contacts with the minor and/or parents/guardians,  
identifying who made the contact and explanation reported by the  
person contacted  
Evidence of efforts to hold a conference with the parent/guardian, per  
Education Code Section 48262, and the results thereof  
Record of SARB findings, including oral and written statements of the  
minor and parent/guardian, and the results of SARB referrals, if any

Witnesses (Include the names, addresses, and phone  
numbers of the following persons):

Representative of attendance supervisor  
SARB representative  
School employee who can identify the minor  
School employee(s) who contacted or attempted to  
contact the minor and parents/guardians  
Interpreter(s) used during the proceedings

**Confidential SARB Referral Form**☐ Attendance problem☐ Behavior problem

Pupil's name		Grade	Age	Birthdate
School		Birthplace		
Pupil's address		Home telephone		
Father's name Address		Daytime telephone		
Mother's name Address		Daytime telephone		
Languages spoken at home	Translator required? ___ yes ___ no	Sources of Income ___ Employment    ___ Retired ___ AFDC            ___ Other		
Siblings' names	Age	School	Attendance Patterns	
Pupil's attendance pattern _____ Total days in attendance _____ Total days of possible attendance _____ Total days of excused absence _____ Total days of unexcused absence _____ Total number of days of truancy _____ Total period absences _____ Total days of attendance, previous year _____ Total days of possible attendance, previous year		Factors affecting attendance ___ Family problems ___ Lack of parental involvement ___ Economic stress ___ Student attitude ___ Health ___ Drugs/alcohol ___ Work ___ Friends ___ Teen mother ___ Low academic performance ___ Unknown		
Academic history Retained?    ___ yes    ___ no Number of classes with D/F/U grades in last 2 years _____		Special programs placement ___ GATE    ___ DHRC ___ SH      ___ SED ___ SDC    ___ DIS ___ LH      ___ Other: _____		
Medical information, medications, and dosages				
Summary statement of possible causes of attendance or behavior problem				
Site administrator's signature _____ Date _____				

Documentation to be attached: (1) attendance card or report, (2) class schedule, (3) transcripts for secondary school, (4) last report card, (5) standardized test scores, (6) SART or SST information, (7) documentation of school contact with parents, and (8) other documentation to establish pattern and school responses to problem. (Note: Documentation should be easily understood by nonschool employees.)

### Notification Letter of SARB Referral

*(Districts send this letter when the school and district have exhausted the resources and referrals.)*

Date \_\_\_\_\_ School \_\_\_\_\_

Dear \_\_\_\_\_:

This letter is to inform you that after repeated discussion, conferences, meetings and contract(s) your (son/daughter)'s, \_\_\_\_\_, attendance has not improved.

Your (son/daughter) was again absent/tardy on the following date(s);

- ☐ Truant or unexcused absence on \_\_\_\_\_
- ☐ Tardy on \_\_\_\_\_
- ☐ Excessive excused absence on \_\_\_\_\_

**Education Code Section 48261** – Subsequent Report of Truancy: Any pupil who has once been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

**Education Code Section 48262** – Habitual Truant: Any pupil deemed an habitual truant and has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made conscientious effort to hold at least one conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Education Code sections 48260 or 48261.

Unfortunately it has become necessary to refer this matter to the district School Attendance Review Board (SARB). We have exhausted all resources available to our school site and are now required to make this referral.

**Education Code Section 48263** – If any minor in any district of a county is a habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a School Attendance Review Board.

You will be contacted by the supervisor of Child Welfare and Attendance concerning the scheduled hearing before the School Attendance Review Board (SARB). If you have any questions concerning this hearing, please call my office at \_\_\_\_\_ between 7:30 a.m. and 4:30 p.m.

Sincerely,

Principal or designee

cc: Student file, Child Welfare and Attendance supervisor

## Student-Parent Agreement

Student's name		Grade	School
Date of birth	Parent's/Guardian's name		
Student's address Street City Zip			Home telephone

It is with complete understanding that I sign this, knowing that further violations of school rules and regulations can result in a referral to the \_\_\_\_\_ Probation Department and/or the \_\_\_\_\_ District Attorney

### Student

- \_\_\_\_\_ Attend all classes on time.
- \_\_\_\_\_ Follow all school rules.
- \_\_\_\_\_ Report to attendance office daily.
- \_\_\_\_\_ Meet regularly with professional counselor.
- \_\_\_\_\_ Take teacher-signed attendance card home for parent's signature and return it to the school office the next school day.
- \_\_\_\_\_ Complete all class assignments.
- \_\_\_\_\_ Take progress report home for parent signature and return report to the school office the next school day.
- \_\_\_\_\_ Attend the homework help classes at \_\_\_\_\_ High School library after school.
- \_\_\_\_\_ Other

### Parent

- \_\_\_\_\_ Cooperate with school officials.
- \_\_\_\_\_ Ensure student attends school.
- \_\_\_\_\_ Notify school when student is absent.
- \_\_\_\_\_ Arrange for and keep counseling appointments for (son/daughter).
- \_\_\_\_\_ Attend school with (son/daughter) as directed, if absences continue (Ed. Code §§ 48900.1 and 48910).
- \_\_\_\_\_ Attend parent conferences when requested.
- \_\_\_\_\_ Excuse student only for valid medical reasons.
- \_\_\_\_\_ Make a quiet place for your son/daughter to study and provide necessary materials.
- \_\_\_\_\_ Other

\_\_\_\_\_  
Probation Officer's Signature

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
SARB Chairperson's Signature

\_\_\_\_\_  
Date



## Summary of Parent(s) and Pupil Conference and Agreement

Date:

The School Attendance Review Board (SARB), having evaluated a referral by *(Name of school and district)* regarding *(Name of student)*, and having met in conference with the parents/guardians and pupil, believes that the pupil named above would benefit from a recommended program in order to improve his or her school attendance and/or school conduct.

Therefore, the SARB recommends and the pupil and parents/guardian agree to the following plan:

- 1.
- 2.
- 3.
- 4.
- 5.

I/we consent to the participation of our son/daughter under the agreement above, and I/we will cooperate with and support the program outlines. I/we further consent to the exchange of records between SARB and resources to which our son/daughter is referred.

Signed \_\_\_\_\_  
(Father or Guardian) (Date)

Signed \_\_\_\_\_  
(Mother or Guardian) (Date)

I have received a copy of this agreement and understand its terms and agree to comply with all the conditions.

Signed \_\_\_\_\_  
(Pupil) (Date)

**NOTE: Failure to comply with the above agreement may result in a request for legal action by the District Attorney's Office and/or Probation Department.**

Witness \_\_\_\_\_  
(SARB Chairperson) (Date)

White: Pupil/Parents or guardians  
Canary: SARB file  
Pink: Referring school

## **SARB Follow-up Letter**

Date \_\_\_\_\_

Dear Mr. and Mrs. \_\_\_\_\_ :

I appreciate your attendance at the School Attendance Review Board (SARB) meeting on \_\_\_\_\_. This letter reaffirms the agreement that you and your (son/daughter) signed in front of the SARB panel. (He/she) will be expected to follow each checked item on the agreement. If (he/she) fails to live up to this agreement, the school will request legal action to be forwarded to the \_\_\_\_\_ District Attorney's Office.

Your cooperation strongly reflects the concept that school is important and that you will follow through when working with your (son/daughter) and the school.

Sincerely,

Supervisor  
Child Welfare and Attendance

cc: Principal, student file

## **SARB Congratulations Letter**

Date \_\_\_\_\_

Dear Mr. and Mrs. \_\_\_\_\_ :

Thank you for your continued support and follow through with the agreement that you and your son/daughter, \_\_\_\_\_, signed in front of the School Attendance Review Board. \_\_\_\_\_ has followed each item on the agreement, and your cooperation in working with your (son/daughter) and the school has sent a strong signal that school is important and that you will follow through.

Please give \_\_\_\_\_ our congratulations on (his/her) education success so far. The attendance agreement will remain in effect through \_\_\_\_\_'s graduation. We are pleased with (his/her) progress and hope both you and \_\_\_\_\_ have benefited from this agreement.

You are welcome to contact our office at any time you feel that you need help or support.

Sincerely,

Chairperson  
School Attendance Review Board

cc: Principal

## SARB Identification Stickers

<div style="border: 1px solid black; padding: 5px; display: inline-block;"> <div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <span>SCHOOL</span> <span>BOARD</span> </div> <div style="text-align: center; font-size: 2em; font-weight: bold;"> S A R B </div> <div style="font-size: 0.8em;">ATTENDANCE REVIEW</div> <div style="font-size: 0.8em;">DISTRICT SCHOOL</div> </div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;">Name of Student</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">was seen on</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">by</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature of School Official</div> <div style="display: flex; justify-content: space-between;"> <div style="border-bottom: 1px solid black; width: 45%;">Phone</div> <div style="border-bottom: 1px solid black; width: 45%;">Date</div> </div>
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<i>School Attendance Review Board (SARB) No.</i>	<i>Referral</i>
Student Name	
SARB Date	
School District	
County	
Contact	
Phone (    )	
<i>XYZ County SARB</i>	

<div style="border: 1px solid black; padding: 10px; display: inline-block;"> <div style="font-size: 1.5em; font-weight: bold; line-height: 1;"> S c h o o l   A t t e n d a n c e   R e v i e w   B o a r d </div> </div>	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">was seen on</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">by</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Signature of School Official</div> <div style="display: flex; justify-content: space-between;"> <div style="border-bottom: 1px solid black; width: 45%;">Phone</div> <div style="border-bottom: 1px solid black; width: 45%;">Date</div> </div>
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State SARB recommends that stickers be reproduced on bright fluorescent paper for easy recognition and include the name of the district and county for easy reference.

**SARB Annual Report Form**  
**District Summary Submitted to County SARB**

SARB name	
Name of SARB chairperson	Telephone number
District	Telephone number
Address	

Local SARB Data, 19 \_\_\_\_– 19 \_\_\_\_

	K–6	7–8	9–12	Totals
District's enrollment				
Number of cases referred to SARB				
Number of SARB cases referred to probation department or district attorney's office				
Number of referrals handled by the courts				
Number of students referred to SARB 2-3 times in current year				
Number of students referred to SARB 4 or more times in current year				
Number of SARB meetings conducted during the current school year	Dates of SARB meetings			
Recommendations or suggestions for improving the county or local SARB process: (Please be specific with examples.)				

Date report was presented to district governing board \_\_\_\_\_

Signature of SARB chairperson \_\_\_\_\_ Date \_\_\_\_\_

Signature of district superintendent \_\_\_\_\_ Date \_\_\_\_\_

## District/County SARB Annual Summary Report

SARB Name:	199 ____ - 199 ____
District:	
Address:	
SARB Chairperson:	Phone: _____

Number of Cases Referred to SARB						Student Returns to School After SARB Conference	Legal Requests				Referrals to Agencies				
Grade Level	Sex			Irregular Attendance	Habitual Truant		Behavior Referral	District Attorney Truancy Mediation			Counseling Men. Hlth.	Employ. Services	Health Services	Alt. Ed. Services	Other
	M	F	Total					Minor	Parent						
K															
1															
2															
3															
4															
5															
6															
7															
8															
Sub Total															
9															
10															
11															
12															
Sub Total															
Cont. Ed.															
Total															

How many cases had absences of over 100 days? \_\_\_\_\_

\*EC 48291: Referral to SARB; criminal complaint

\*EC 48452: Criminal complaint against the parent

## COMMUNITY RESOURCES

The purpose of SARB is to enhance the enforcement of compulsory education laws and to divert students with school attendance or behavior problems from the juvenile justice system. SARB members represent many agencies, allowing for many perspectives in reaching SARB goals. Thus, SARB has the unique ability to marshal and coordinate many available community resources to deal with student attendance and behavior problems. These resources vary from community to community but generally can be categorized according to the following needs:

- Child abuse prevention and intervention
- Counseling and mental health services and programs
- Drug and alcohol abuse prevention and intervention
- Assistance for the homeless
- Youth groups and activities
- Youth high-risk services
- Teenage pregnancy
- Gang prevention and intervention

School and SARB personnel depend on accessibility of community resources when working to resolve school attendance problems. A log or handbook of resources combines needed information for easy access. School and SARB members may need to pool several sources of information for one comprehensive guide, or they may have access to a central resource agency. The guide should contain at a minimum the following information: name of the agency, address, telephone number, a short description of the services provided by the agency, and a contact person.



## LEGISLATIVE FOUNDATIONS

The state, county, and local School Attendance Review Boards are composed of members who support SARB concepts. The members, specified in *Education Code* sections 48321 and 48325, are committed to providing leadership to keep pupils in school, providing them with appropriate educational opportunities, and helping them reach their full potential.

The State SARB is defined by the following text from the *Education Code*:

48325. State board; legislative findings, declarations, and intent; coordination and administration; recommendations and proposals

(a)The Legislature finds and declares that statewide policy coordination and personnel training with respect to county attendance review boards will greatly facilitate the achievement of the goals expressed in section 48320. It is therefore the intent of the Legislature in enacting this section to do the following:

- (1) Encourage the cooperation, coordination, and development of strategies to support county school attendance review boards in carrying out their responsibilities to establish local school attendance review boards as necessary. These strategies may include, but need not be limited to, plans for the training of school attendance review board personnel.
- (2) Divert pupils with serious attendance and behavioral problems from the juvenile justice system to agencies more directly related to the state public school system by developing a system for gathering and dispensing information on successful community-based and school-based programs.
- (3) Reduce duplication of the services of state and county agencies in serving high-risk youth, including youth with school attendance or behavioral problems.
- (4) Reduce the number of dropouts in the state public education system by promoting interagency cooperation among those agencies which have as their goals preventing students from dropping out, and increasing the holding power of the public schools.

(b)The Superintendent of Public Instruction shall coordinate and administer a state school attendance review board, as follows:

- (1) On or before January 31 of each year, the superintendent shall extend invitations of participation to representatives of appropriate groups throughout the state, including, but not limited to, representatives of school districts, parent groups, county probation departments, county welfare departments, county superintendents of schools, law enforcement agencies, community-based youth service centers, school guidance personnel, child welfare and attendance personnel, and state associations having an interest in youth with school attendance or behavioral problems. The superintendent shall also request the participation of representatives from interested state agencies or departments, including, but not limited to, the Department of the California Youth Authority, the Department of Justice, the State Department of Social Services, and the Office of Criminal Justice Planning. To the extent feasible, members of the board shall include persons who are currently members of county or local school attendance review boards. For every year after the first year that the board is convened, the purpose of the invitations of participation shall be to inform appropriate groups, state agencies, and departments of the purposes of the board, to fill vacancies, and to supplement the membership of the board as necessary.

- (2) The superintendent shall prescribe an appropriate deadline for acceptance of invitations of participation as a member of the state school attendance review board for that particular year, and the invitations accepted on or before the deadline shall constitute the board for that year, except that the board shall also include a representative of the State Department of Education designated by the director of that department. The representative of the State Department of Education shall be the chairperson of the board.
  - (3) The superintendent shall convene the board at least four times during the year. At its first meeting, the board shall elect any officers, other than its chairperson, as it deems necessary. Members of the board shall serve without compensation and without reimbursement of travel and living expenses.
  - (4) The State Department of Education shall provide assistance as requested by the Superintendent of Public Instruction in order to implement the provisions of this section.
- (c) The state school attendance review board shall make recommendations annually to the Superintendent of Public Instruction, and to state agencies as deemed appropriate, regarding the needs and services provided to high-risk youth, including youth with school attendance or behavioral problems, in the state public schools, and shall propose uniform guidelines or other means to attain the goals stated in subdivision (a).

The county SARB is defined by the following *Education Code* sections:

**48321. County and local school attendance boards; creation, membership, and powers**

- (a) A county school attendance review board may be established in each county. The county school attendance review board, if established, shall include, but not be limited to, a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, (4) the county superintendent of schools, (5) law enforcement agencies, (6) community-based youth service centers, (7) school guidance personnel, and (8) child welfare and attendance personnel.
- Where a county school attendance review board exists, the county superintendent of schools shall, at the beginning of each school year, convene a meeting of the county school attendance review board for the purpose of adopting plans to promote interagency and community cooperation and to reduce the duplication of services provided to youth who have serious school attendance and behavior problems.
- (b) Local school attendance review boards may include, but need not be limited to, a parent and representatives of (1) school districts, (2) the county probation department, (3) the county welfare department, and (4) the county superintendent of schools, (5) law enforcement agencies, (6) community-based youth service centers, and (7) school guidance personnel. Other persons or group representatives shall be appointed by the county board of education.
- (c) The county school attendance review board may elect pursuant to regulations adopted pursuant to Section 48324, one member as chairman with responsibility for coordinating services of the county school attendance review board.
- (d) The county school attendance review board may provide for the establishment of local school attendance review boards in any number as shall be necessary to carry out the intent of this article.
- (e) In any county in which there is no county school attendance review board, school district governing boards may elect to establish a local school attendance review board, which shall operate in the same manner and have the same authority as a county school attendance review board.



- (f)The county school attendance review board may provide consultant services to, and coordinate activities of, local school attendance review boards in meeting the special needs of pupils with school attendance or school behavior problems.
- (g)When the county school attendance review board determines that the needs of the pupils as defined in this article can best be served by a single board, the county school attendance review board may then serve as the school attendance review board for all pupils in the county or, upon the request of any school district in the county, the county school attendance review board may serve as the school attendance review board for pupils of that district.
- (h)Nothing in this article is intended to prohibit any agreement on the part of counties to provide such services on a regional basis.

#### **48322. Community resources**

The county school attendance review board may encourage local school attendance review boards to maintain continuing inventory of community resources, including alternative educational programs, and to make recommendations for the improvement of such resources and programs or for the creation of new resources and programs where none exist.

#### **48323. Powers of board participants**

Each of the departments or agencies required to participate in school attendance review boards shall assign personnel to represent the department or agency on a continuing basis in accordance with the intent of this article. The duties, obligations, or responsibilities imposed on local governmental entities by this act are such that the related costs are incurred as part of their normal operating procedures. The minor costs of such services shall be borne by each agency or department and each or all of the participants may apply for and utilize state or federal funds as may be available.

#### **48324. Rules and regulations**

The county school attendance review board shall adopt such rules and regulations not inconsistent with law, as are necessary for its own government and to enable it to carry out the provisions of this article. The rules and regulations shall be binding upon the local school attendance review boards which are established pursuant to subdivision (d) Section 49321.

#### **48290. Investigation of complaints**

The governing board of any school district, shall, on the complaint of any person, make full and impartial investigation of all charges against any parent, guardian or any other person having control or charge of any child, for violation of any provisions of this chapter.



## Compulsory Attendance Laws

(*Education Code Excerpts*)

### **48200. Children between ages 6 and 18 years**

Each person between the ages of 6 and 18 years not exempted under the provision of this chapter or Chapter 3 (commencing with Section 48400) is subject to compulsory full-time education. Each person subject to compulsory full-time education and each person subject to compulsory continuation education not exempted under the provisions of Chapter 3 (commencing with Section 48400) shall attend the public full-time day school or continuation school or classes for the full time designated as the length of the school day by the governing board of the school district in which the residency of either the parent or legal guardian is located and each parent, guardian, or other person having control or charge of the pupil shall send the pupil to the public full-time day school or continuation school or classes for the full-time designated as the length of the school day by the governing board of the school district in which the residence of either the parent or legal guardian is located.

Unless otherwise provided for in the code, a pupil shall not be enrolled for less than the minimum school day established by law.

(Note: Residency, for the purpose of attendance in the public schools, is determined by the Welf. & Inst. Code § 17.1.)

### **48260. Definition**

Any pupil subject to compulsory full-time education or to compulsory continuation education who is absent from school without valid excuse for three days in one school year or tardy or absent for more than 30 minutes during the school day without valid excuse on three occasions in one school year, or any combination thereof, is a truant and shall be reported to the district's attendance supervisor or to the superintendent of the school district.

### **48261. Subsequent report of truancy**

Any pupil who has once been reported as a truant and who is again absent from school without a valid excuse one or more days, or tardy on one or more days, shall again be reported as a truant to the attendance supervisor or the superintendent of the district.

### **48262. Habitual truant**

Any pupil is deemed an habitual truant who has been reported as a truant three or more times per school year, provided that no pupil shall be deemed an habitual truant unless an appropriate district officer or employee has made a conscientious effort to hold at least once conference with a parent or guardian of the pupil and the pupil himself, after the filing of either of the reports required by Section 48260 or Section 48261.

### **48263. Referral to attendance review board or probation office; notice to district attorney or probation officer participating in truancy mediation program**

If any minor pupil in any district of a county is an habitual truant, or is irregular in attendance at school, as defined in this article, or is habitually insubordinate or disorderly during attendance at school, the pupil may be referred to a school attendance review board or to the probation department for services of the probation department.



## Hearsay Evidence

### (Evidence Code Excerpts)

#### 1200. The hearsay rule

- (a) "Hearsay evidence" is evidence of a statement that was made other than by a witness while testifying at the hearing and that is offered to prove the truth of the matter stated.
- (b) Except as provided by law, hearsay evidence is inadmissible.
- (c) This section shall be known and may be cited as the hearsay rule.

#### 1201. Multiple hearsay

A statement within the scope of an exception to the hearsay rule is not inadmissible on the ground that the evidence of such statement is hearsay evidence if such hearsay evidence consists of one or more statements each of which meets the requirements of an exception to the hearsay rule.

#### 1202. Credibility of hearsay declarant

Evidence of a statement or other conduct by a declarant that is inconsistent with a statement by such declarant received in evidence as hearsay evidence is not inadmissible for the purpose of attacking the credibility of the declarant though he is not given and has not had an opportunity to explain or to deny such inconsistent statement or other conduct. Any other evidence offered to attack or support the credibility of the declarant is admissible if it would have been admissible had the declarant been a witness at the hearing. For the purposes of this section, the deponent of a deposition taken in the action in which it is offered shall be deemed to be a hearsay declarant.

#### 1203. Cross-examination of hearsay declarant

- (a) The declarant of a statement that is admitted as hearsay evidence may be called and examined by any adverse party as if under cross-examination concerning the statement.
- (b) This section is not applicable if the declarant is (1) a party, (2) a person identified with a party within the meaning of subdivision (d) of section 776, or (3) a witness who has testified in the action concerning the subject matter of the statement.
- (c) This section is not applicable if the statement is one described in Article 1 (commencing with Section 1220), Article 3 (commencing with Section 1235), or Article 10 (commencing with Section 1300) of Chapter 2 of this division.
- (d) A statement that is otherwise admissible as hearsay evidence is not made inadmissible by this section because the declarant who made the statement is unavailable for examination pursuant to this section.

##### 1203.1. Hearsay statements admissible at preliminary hearing

Section 1203 is not applicable if the hearsay statement is offered at a preliminary examination, as provided in Section 872 of the *Penal Code*.

#### 1204. Hearsay statement offered against criminal defendant

A statement that is otherwise admissible as hearsay evidence is inadmissible against the defendant in a criminal action if the statement was made, either by the defendant or by another, under such circumstances

that it is inadmissible against the defendant under the Constitution of the United States or the State of California.

1205. No implied repeal

Nothing in this division shall be construed to repeal by implication any other statute relating to hearsay evidence.

1220. Admission of party

Evidence of a statement is not made inadmissible by the hearsay rule when offered against the declarant in an action to which he is a party in either his individual or representative capacity, regardless of whether the statement was made in his individual or representative capacity.

1221. Adoptive admission

Evidence of a statement offered against a party is not made inadmissible by the hearsay rule if the statement is one of which the party, with knowledge of the content thereof, has by words or other conduct manifested his adoption of his belief in its truth.

1222. Authorized admission

Evidence of a statement offered against a party is not made inadmissible by the hearsay rule if:

- (a) The statement was made by a person authorized by the party to make a statement or statements for him concerning the subject matter of the statement; and
- (b) The evidence is offered either after admission of evidence sufficient to sustain a finding of such authority or, in the court's discretion as to the order of proof, subject to the admission of such evidence.



## Business and Official Records

### (*Evidence Code* Excerpts)

Districts may use provisions in the *Evidence Code* to simplify and expedite the process of presenting a student's attendance or behavior record to the juvenile court. When such a record has been identified as a business record under the provisions of the *Evidence Code*, a single person from the district may present all school records of the student, regardless of the number of persons creating the records. Without designation of the record as a "business record," each person creating the student's attendance or behavior record would need to be present in juvenile court to identify his or her role in record keeping.

#### 1270. "A business"

As used in this article, "a business" includes every kind of business, governmental activity, profession, occupation, calling, or operation of institutions, whether carried on for profit or not.

#### 1271. Business record

Evidence of a writing made as a record of an act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the act, condition, or event if:

- (a) The writing was made in the regular course of a business;
- (b) The writing was made at or near the time of the act, condition, or event;
- (c) The custodian or other qualified witness testifies to its identity and the mode of its preparation; and
- (d) The sources of information and method and time of preparation were such as to indicate its trustworthiness.

#### 1272. Absence of entry in business records

Evidence of the absence from the records of a business of a record of an asserted act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the nonoccurrence of the act or event, or the nonexistence of the condition, if:

- (a) It was the regular course of that business to make records of all such acts, conditions, or events at or near the time of the act, condition, or event and to preserve them; and
- (b) The sources of information and method and time of preparation of the records of that business were such that the absence of a record of an act, condition, or event is a trustworthy indication that the act or event did not occur or the condition did not exist.

#### 1280. Record by public employee

Evidence of a writing made as a record of an act, condition, or event is not made inadmissible by the hearsay rule when offered to prove the act, condition, or event if:

- (a) The writing was made by and within the scope of duty of a public employee;
- (b) The writing was made at or near the time of the act, condition, or event; and
- (c) The sources of information and method and time of preparation were such as to indicate its trustworthiness.



## Pupil Exemptions

*(Education Code Excerpts)*

### 48220. Classes of children exempted

The classes of children described in this article shall be exempted by the proper school authorities from the requirements of attendance upon a public full-time day school.

### 48222. Attendance in private school

Children who are being instructed in a private full-time day school by persons capable of teaching shall be exempted. Such school shall, except under the circumstances described in Section 30, be taught in the English language and shall offer instruction in the several branches of study required to be taught in the public schools of the state. The attendance of the pupils shall be kept by private school authorities in a register, and the record of attendance shall indicate clearly every absence of the pupil from school from a half day or more during each day that school is maintained during the year.

Exemptions under this section shall be valid only after verification by the attendance supervisor of the district, or other person designated by the board of education, that the private school has complied with the provisions of Section 33190 requiring the annual filing by the owner or other head of a private school of an affidavit or statement of prescribed information with the Superintendent of Public Instruction. The verification required by this section shall not be construed as an evaluation, recognition, approval, or endorsement of any private school or course.

### 48223. Mentally gifted children

Children who are mentally gifted and who are being instructed in a private full-time day school by persons capable of teaching, where all or part of the courses of instruction required to be taught in the public schools of this state is taught in a foreign language with not less than 50 percent of total daily instructional time taught in the English language, shall be exempted. The attendance of the pupils shall be kept pursuant to Section 48222.

### 48224. Instruction by tutor

Children not attending a private, full-time, day school and who are being instructed in study and recitation for at least three hours a day for 175 days each calendar year by a private tutor or other person in the several branches of study required to be taught in the public schools of this state and in the English language shall be exempted. The tutor or other person shall hold a valid state credential for the grade taught. The instruction shall be offered between the hours of 8 o'clock a.m. and 4 o'clock p.m.

### 48225. Contracts to secure tutoring for children working in entertainment or allied industries

The governing board of any school district which has children holding work permits to work temporarily in the entertainment or allied industries who are exempted from attending public full-time day school under the provisions of this article, or a county superintendent of schools, may contract with any person, firm or corporation responsible for the education of any children, so employed or acting on behalf thereof, to provide eligibility lists and placement services for qualified teaching and other necessary personnel for the tutoring of such children while so employed. Such personnel shall not for these purposes be deemed public employees. The contract shall require payment of all costs of the school district, or the county superintendent of schools in providing the lists or services.

48230. Compulsory part-time classes

Children who hold permits to work shall be exempted, but such children shall be subject to compulsory attendance upon part-time classes.

48231. Entrance into attendance area within ten schooldays of end of school term

Notwithstanding Section 48201, pupils between 12 and 18 years of age who enter an attendance area from another state within 10 schooldays before the end of the school term during which such entrance occurs are exempt for the remainder of the school term.

48232. Leave of absence of pupil of 15; conditions; review and report on program

Notwithstanding any other provision of law, a child who will be 15 years old at the time a leave of absence is to begin may take a leave of absence from school for a period of up to one semester, if all of the following conditions are satisfied:

- (a) The school district governing board adopts a written policy to allow student leaves of absence consistent with this section.
- (b) The purpose of the leave is supervised travel, study, training, or work not available to the student under another education option.
- (c) A written agreement is entered into that is signed by the child's parent or guardian, the principal or administrative officer of the school which the child would otherwise attend, a classroom teacher familiar with the child's academic progress selected by the child, and the district supervisor of child welfare and attendance, and that provides for all of the following:
  - (1) The purpose of the leave.
  - (2) The length of time the child will be on leave.
  - (3) A meeting between, or contact with, the child and a school official designated in the agreement at least once a month while the child is on leave.
- (d) The child shall be entitled to return to school at any time. No child who takes a leave of absence shall be penalized from completing his or her academic requirements within a time period equal to that of classmates who did not take a leave of absence, plus a period of time equal to the leave of absence. However, when a child re-enrolls at any time other than the beginning of a semester, the school shall not be required to give makeup sessions during that semester for the classes that the child has missed.
- (e) A leave of absence may be extended for an additional semester upon approval by all parties to the written agreement and the local school attendance review board.
- (f) No leave of absence may be taken which would continue past the end of the school year in which the leave is taken.
- (g) If the student does not contact the designated school official as stipulated in the written agreement, the leave of absence shall be nullified.

Any party to the written agreement may nullify the agreement for cause at any time.
- (h) No more than 1 percent of the students enrolled and in attendance at each school shall be permitted to take a leave of absence during each academic year.

48416. Leave of absence; pupils between ages 16 and 18; conditions

Notwithstanding any other provision of law, a child who, at the time a leave of absence is to begin, will be between the ages of 16 and 18, inclusive, may take a leave of absence from compulsory continuation



education classes or, if exempted pursuant to subdivision (b) of Section 48410, from the school which the child attends, for a period of up to two semesters, if all the following conditions are satisfied:

- (a) The school district governing board adopts a written policy to allow student leaves of absence consistent with this section.
- (b) The purpose of the leave is supervised travel, study, training, or work not available to the student under another education option.
- (c) A written agreement is entered into which is signed by the child, the child's parent or guardian, the principal or administrative officer of the school which the child would otherwise attend, a classroom teacher familiar with the child's academic progress selected by the child, and the district's supervisor of child welfare and attendance, and that provides for all of the following:
  - (1) The purpose of the leave.
  - (2) The length of time the child will be on leave.
  - (3) A meeting between or contact with the child and a school official designated in the agreement at least once a month while the child is on leave.
  - (4) A statement incorporating the provisions contained in subdivision (b).
- (d) The child shall be entitled to return to school at any time. No child who takes a leave of absence shall be penalized from completing his or her academic requirements within a time period equal to that of classmates who did not take a leave of absence, plus a period of time equal to the leave of absence. However, when a child re-enrolls at any time other than the beginning of a semester, the school shall not be required to give makeup sessions during that semester for the classes that the child has missed.
- (e) A leave of absence may be extended for an additional semester upon approval by all parties to the written agreement and the local school attendance review board.
- (f) No leave of absence may be taken which would continue past the end of the school year in which the leave is taken.
- (g) If the student does not contact the designated school official as stipulated in the written agreement, the leave of absence shall be nullified.





## Case Management Systems

Two school-site groups provide individualized services to students who experience academic, attendance, and behavior problems: Student Study Teams and School Attendance Review Teams. The student study team (SST) process is based on a specific problem-solving model for regular education students identified by the California Department of Education in 1983. The SST model is unique in that it includes school staff, parents, and the student. The SST is structured for effectiveness and efficiency and uses a “group memory” to record the essence of each meeting. It maximizes school and community resources and serves as a resource for personal growth and staff development for the team.

The SST process is sequenced as follows:

- The student’s strengths are discussed so as to empower the student to change.
- The areas of concern are objectively identified in a manner which acknowledges differences of perception.
- All relevant known information is presented. Any questions left unanswered are recorded for future inquiry.
- SST members brainstorm all possible solutions and list the solutions in order of priority for action plans. The action plans specify skills to be developed.
- The SST process specifies which persons will be responsible for implementing the action plan and the timelines for completing the actions.
- The SST process specifies a follow-up date for appreciation of progress.

The School Attendance Review Team (SART) process is based on the student study team model but specifically addresses the attendance and behavior problems. Each school site may elect to utilize the student attendance review team process rather than the student study team. If the school elects to do this, the process for dealing with attendance and/or behavioral problems would be the same.



## Sample Attendance Records

### Petition to the District Attorney

Student:	Wally Doe	Parent:	Mrs. Jane Doe
Sex.:	Male	Relation:	Mother
D.O.B.:	12/10/xx	CA Driver's License:	A00000000
Address:	60 N. Park Road	Address:	60 N. Park Road
City, Zip:	Anywhere, CA 90000	City, Zip:	Anywhere, CA 90000

Wally Doe was enrolled in Bart Elementary School on September 11, 19\_\_. His first date of attendance was also September 11, 19\_\_.

Out of a possible \_\_ days, Wally was in attendance \_\_ days. He was in non-attendance for a total of 148 days, with 5 days of excused absences and 143 days of unexcused absences.

Dates of Excused Absences	Dates of Unexcused, Approved Absences	Dates of Unexcused, Unapproved Absences



## Sample Documentation Letter

### Petition to the District Attorney

May 30, 19\_\_

Mrs. Jane Doe  
60 North Park Road  
Anywhere, CA 90000

RE: Wally Doe  
D.O.B.: 12/10/80  
GRADE: 3  
SCHOOL: Bart Elementary

Dear Mrs. Doe:

This letter summarizes the meeting we had on May 17, 19\_\_, at 11:00 a.m. We discussed the concerns regarding your son's attendance problem, especially the most recent unexcused absences of 59 days. You stated at this meeting that it was your preference that Wally remain at home to watch cartoons rather than to attend school.

Wally needs a full and uninterrupted education. Your action to keep him out of school interrupts his education and violates *Education Code* Section 48200, which requires compulsory full-time education. For your information, I have attached a copy of that section of the *Education Code*.

By law, Wally must attend school on a regular and ongoing basis. The XYZ Unified School District and Bart Elementary School have exhausted, over a two-year period, all efforts to persuade Wally to attend school.

As I have stated to you, if Wally's attendance does not measurably improve, it is my duty as Administrator of Child Welfare and Attendance Services to initiate the procedures for filing this case with the District Attorney's Office.

If you have any questions or concerns, please feel free to contact my office at 000-0000.

Sincerely,

Horace Greeley, Supervisor  
Child Welfare and Attendance Services



## Sample Case History

### Petition to the District Attorney

RE: Wally Doe  
D.O.B.: 12/10/80  
GRADE: 3  
SCHOOL: Bart Elementary

**April 1, 19\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Jane Doe by phone. She said Wally cannot and would not come to school because of a Daffy Duck film festival.

**April 3, 19\_\_, 9:15 a.m.**

Mr. Greeley: Contacted Mrs. Doe by telephone; she said Wally was ill; told her Wally must bring doctor's note to school when he returns; says Wally is suffering from heart failure.

**April 13, 19\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Doe by telephone; said Wally still under doctor's care for athlete's foot and asked me why I was hounding her and her son. I explained that I would expect him tomorrow.

**April 14, 19\_\_, 3:00 p.m.**

Wally attended first 2 hours of school, absent for remainder of day. No answer of home phone.  
Contact Person

**April 15, 19\_\_, 9:00 a.m.**

Mr. Greeley: Met Wally in front of office, said his mother took him from school to watch younger sister while she shopped.

**April 15, 19\_\_, 2:00 p.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. Asked if Wally was ill. Mother said he caught his sister's chicken pox and was staying at home in a darkened room to save his eyesight.

**April 16, 19\_\_, 11:25 a.m.**

Mrs. Comfort: Mrs. Doe came to office and accused office staff of spying on her to report her to ex-husband and his wife. Said Wally was afraid to come to school because Mr. Daniels "always

because the rooms were so much cleaner than the living room and he gets headaches from the loud music on TV. Conversation was interrupted by Mrs. Doe; when she grabbed the phone, I overheard her conversation to Wally: “You little creep. I’ll teach you to talk behind my back, you...” The phone was disconnected, and I was unsuccessful with my attempts to reestablish contact.

**April 16, 19\_\_, 4:00 p.m.**

Wally Doe called office and talked to Mrs. Comfort and Mr. Daniels. Said he was OK, “She just yells a lot, and I’ll be back tomorrow.” He said that he really likes school, but that his mother prefers that he stay in his room and watch cartoons and General Hospital and “learn about life.”

**April 17, 19\_\_, 9:15 a.m.**

Wally in school all day.

**April 20, 19\_\_, 9:15 a.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. Said Wally wasn’t coming to school because his science project wasn’t done. Explained her responsibility to have Wally attend on a regular basis. Mrs. Doe told me to mind my own business and that Wally was watching Mr. Rogers to get his assignment.

**April 27, 19\_\_, 11:00 a.m.**

Mr. Greeley and Miss Krumm: Home visit. Mrs. Doe came to the door and said Wally was in the hospital; but Wally came to door in pajamas, said he just got up. Wally asked if he could come to school with G & K. Mother slammed door yelling, “This ain’t none of your business. Cartoons were good enough for his mother and they’re good enough for him. He’ll never learn about real life from school!”

**May 1, 19\_\_, 9:30 a.m.**

SARB meeting on Wally Doe. Following meeting, Mr. Greeley called Mrs. Doe by phone. Gave verbal explanation and requirements of the law.

**May 30, 19\_\_, 9:00 a.m.**

Mr. Greeley: I sent Mrs. Doe an ultimatum notice, explaining that I would turn her son’s case over to the County SARB if Wally did not appear in school the next day.

**May 31, 19\_\_, 9:00 a.m.**

Mr. Greeley: Contacted Mrs. Doe by phone. She said letter arrived in morning mail; that she had no intention of sending Wally to school this week due to Plastic Man film festival on TV. Re-explanation of law and its requirements. Mrs. Doe replied with obscenities.



## Sample Case Outline

### Petition to the District Attorney

RE: Wally Doe  
D.O.B.: 12/10/80  
GRADE: 3  
SCHOOL: Bart Elementary

The student has failed grade 2 twice due to extensive absences up to date of May 31, 19\_\_. He has missed approximately 128 days of school out of 180 scheduled school days. The student was enrolled in this school by parent, Mrs. Lola Doe, September 19\_\_, on basis of proof of residency within the school district boundaries. On May 11, 19\_\_, Mr. Horace Greeley, Supervisor of Child Welfare and Attendance, contacted Mrs. Doe and explained her legal requirement to have Wally attend school. Mrs. Doe gave several excuses for Wally's nonattendance, including health reasons and his need to watch television.

During the month of May, the school made 14 contacts with Mrs. Doe over the telephone concerning Wally's nonattendance. Wally attended 2.3 days during 20 school days, for which Mrs. Doe gave various reasons for his nonattendance, including gangrene and contagious dandruff. Each inquiry included the request for doctor's verification of appointment, hospitalization, treatment, etc., but none was provided by parent. On April 27, 19\_\_, a home visit was made by Mr. Horace Greeley, Youth Services, and the School Attendance Clerk, Miss Vanessa Krumm. The late morning visit found both Mrs. Doe and Wally watching TV in their nightclothes. Mrs. Doe's demeanor during the conversations throughout the year and during the home visit was extremely hostile and abusive, with many claims that her son's nonattendance was none of the school's business and that she had no intention of "kowtowing to an abusive, authoritarian, communistic system with strong neo-Marxist leanings, just like his father."

School Attendance Clerk: Miss Vanessa Krumm  
School Secretary: Mrs. Drusilla Comfort  
Administrator: Mr. Michael Daniels, Principal, Bart Elementary School  
Supervisor: Mr. Horace Greeley, Child Welfare and Attendance



## Suggested Bylaws for County SARB

### I. Name

The name of the organization shall be “The County School Attendance Review Board,” hereinafter referred to as County SARB.

### II. Intent, Goals, and Responsibilities

#### A. Intent

The intent of County SARB is to provide intensive guidance and coordinated community services to meet the needs of pupils with school attendance or school behavior problems prior to a referral to the judicial system.

#### B. Goals

1. **Diversion** of pupils with serious attendance and behavior problems from the juvenile justice system by utilization of varied community counseling and guidance services.
2. **Prevention** of serious pupil problems by referral of pupils who are in danger of becoming truant, irregular in attendance, or disorderly to a local SARB for appropriate counseling or guidance services.

#### C. Responsibilities

The responsibilities of County SARB are set forth in *Education Code* sections 48321 and 48322; and *Welfare and Institutions Code* sections 601, 601.1, and 601.2. County SARB shall:

1. Provide for the establishment of local school attendance review boards in such number as necessary.
2. Review and pass upon the organizational structures of all SARBs.
3. Develop rules and regulations for local SARBs.
4. Accept appeals from local SARBs regarding rules, regulations, or decisions of County SARB.
5. Provide consultant services to local school attendance review boards.
6. Coordinate activities of local school attendance review boards to meet the special needs of pupils with local school attendance or behavior problems.
7. Encourage local school attendance review boards to:
  - a. Maintain a continuing inventory of community resources, including alternative educational programs.
  - b. Make recommendations for the improvement of such resources and programs.
  - c. Create new resources and programs where none exist.
  - d. Apply for and utilize available state and federal funds.

8. Approve the agency representatives of the local SARBs.
9. Conduct an annual evaluation of all local SARBs. Each local SARB shall submit a yearly report to County SARB outlining its activities. This report may include the following information:
  - a. Name of chairperson, names of SARB members, and which organization each member represents
  - b. Types and number of referrals (attendance or insubordination)
  - c. Number of students referred at each grade level, with total students referred
  - d. Disposition of and number of referrals as follows: student moved, student attending, transfer to alternative setting, student dropped out, student not attending according to agreement, student expelled
  - e. Number of cases, by grade level, referred to County SARB
  - f. Number of cases referred to the local district attorney
  - g. Dropout numbers and ratio at each level: elementary, junior high, and high school
  - h. Signed by the superintendent(s) of the local school district(s)

### III. Procedures

County SARB procedures must meet the legislative intent of *Education Code* sections 48321-48324 and *Welfare and Institution Code* sections 601 and 601.1.

### IV. Membership

**County SARB must include representatives from the following groups or agencies, as set forth in *Education Code* Section 48321:**

#### A. Mandated Representatives

1. Parent
2. School districts
3. County probation department
4. County welfare department
5. County superintendent of schools
6. Law enforcement agency
7. Community-based youth service centers
8. School guidance personnel
9. Child welfare and attendance personnel

#### B. Other Representatives

1. County health department
2. County mental health department
3. District attorney
4. Others (as needed)



*C. Appointing body*

1. Governing boards of school districts shall nominate school district representatives on County SARB, and the county superintendent shall appoint the district representatives.
2. The county board of education shall appoint all other persons and group representatives to County SARB.

*D. Alternate Representatives*

Designated alternate representatives shall be nominated, appointed, or approved by the same process as that of all official representatives.

*E. Tenure of Representatives*

The term of school district representatives shall be *(to be determined by County SARB)*. All other representatives shall serve at the pleasure of their nominating or appointing organization.

*F. Resignation, Removal, and Replacement*

1. Resignation from County SARB will become effective upon acceptance by County SARB *at any regular SARB meeting*.
2. Removal of a representative may be made by County SARB for failure to attend three consecutive meetings or failure to attend 50 percent of the meetings July through June of a school year.
3. Replacement of a representative, who has resigned or who has been removed, will be by the same process as that of the previous appointment to that position.

**V. Financial Obligations**

*A. Financial Obligations*

*Education Code* Section 48323 describes the financial obligations of SARB:

1. Each of the mandated departments or agencies shall assign personnel to represent the department or agency on a continuing basis.
2. The related costs are considered a part of the normal operating procedures.
3. The minor costs of incurred service shall be borne by each agency or department.

*B. Funding Sources*

1. County SARB is encouraged to apply for and utilize state or federal funds as may be available.

**VI. Officers**

*A. Personnel*

The chairperson shall be an elected officer. A vice chair and secretary may be appointed to assist the chairperson.

*B. Election*

The chairperson shall be elected annually or biannually prior to July 1.

*C. Duties*

The chairperson shall be responsible for coordinating all services of County SARB. In addition, the chairperson shall:

1. Preside at all meetings.
2. Arrange for necessary secretarial help.
3. With approval of the board, appoint other committee chairpersons as needed.
4. Notify the appointing or nominating agency when its representative's term is about to expire or when the representative has resigned or has been removed.
5. Prepare the annual report for county superintendent of schools.

*D. Absence of Chairperson*

In the absence of the chairperson, members present shall elect by a simple majority vote a temporary chairperson to preside over that meeting.

*E. Vacancies*

Vacancy of a chairperson may be filled by a simple majority vote of those present at the board meeting.

**VII. Committees**

The responsibilities of each committee shall be on a continuing basis and shall be created or dissolved as needed by the chairperson with the approval of County SARB.

*A. Committees*

The following committees may be appointed:

1. Community Resources and Programs

County SARB Community Resources and Programs Committee shall assist the local SARBs in:

- a. Maintaining a continuing inventory of community resources and alternative educational programs
- b. Making recommendations for the improvement of such resources and programs
- c. Assisting in the creation of new resources and programs where none exist

2. Public Relations

The Public Relations Committee shall:

- a. Plan a program of action to promote understanding and acceptance of SARB by all youth-serving agencies and the community.
- b. Utilize all available news media resources to accomplish this purpose.

3. Evaluation

- a. County SARB shall make an annual self-evaluation.
- b. County SARB shall conduct an annual evaluation of all local SARBs.

4. Other Committees as Needed

## **VIII. Meetings**

### *A. Regular Meetings*

Regular meetings shall be held at a time and place to be specified. Notice of the meeting will be given by the chairperson seven (7) calendar days prior to the meeting.

### *B. Special Meetings*

Special meetings may be called at the discretion of the chairperson. Notice of the meeting shall be given at least 24 hours prior to such meeting.

### *C. Quorum*

A simple majority shall constitute a quorum at any meeting of County SARB.

### *D. Voting*

1. On matters of adding or deleting from policies or amendments to the bylaws, the vote must be a simple majority of the total SARB voting membership.
2. In other matters, the vote may be by a simple majority of the members present.

## **IX. Fiscal Policies**

The fiscal year shall be from July 1 through June 30.

## **X. Amendments and Parliamentary Authority**

### *A. Amendments*

The bylaws may be amended by a simple majority vote of the total SARB voting membership. The proposed amendments will be presented for discussion at the regular meeting. Voting will take place at the following regular SARB meeting.

### *B. Rules of Order*

Robert's Rules of Order, Newly Revised, shall be the parliamentary authority for all matters of procedure not specifically covered by the bylaws or by specific rules of procedure adopted by County SARB.

Adopted by County School Attendance Review Board (date)

## **Suggested Standing Rules for County SARB**

### **I. Standing Rules**

Standing rules are interpretations and implementations of the bylaws, and they are adopted by a simple majority vote of County SARB membership.

### **II. Obligations of Representatives**

#### *A. Meetings*

1. All representatives are expected to attend all regular and special meetings.

2. Representatives who must be absent from meetings shall notify the chairperson and/or the designated alternate prior to the meeting time.

*B. Resignation*

If a representative finds it impossible to attend SARB meetings regularly, he/she shall submit his/her resignation in writing to the chairperson.

### **III. Committees**

*A. Public Relations*

All publicity, news, or information concerning County SARB shall be under the jurisdiction of the elected chairperson or public relations chairperson.

*B. Committees as necessary to conduct the business of SARB*

### **IV. Meetings**

*A. Number of Meetings*

County SARB shall schedule as many meetings as are necessary to fulfill its legal responsibilities.

*B. Location of Meetings*

County SARB meetings shall be held in locations most convenient for representatives.

Adopted by County School Attendance Review Board (date)

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